

Diane Killian Allan  
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FILED US District Court-UT  
NOV 28 '22 PM02:04

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# IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF UTAH

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Diane Killian Allan,

*Petitioner*

v.

Dane Hanson

Eric Johnsen

Wayne Hansen

David Cole

Troy Rawlings

John Carl Ynchausti

FARMINGTON CITY, a Corporation,

Davis County Attorney's office, a Corporation

and

DAVIS COUNTY JUSTICE COURT, a  
Corporation dba DAVIS COUNTY DRUG  
COURT, INC.

*Respondents*

**PETITIONERS REPLY  
MEMORANDUM IN OPPOSITION TO  
DEFENDANT'S MOTION TO DISMISS  
MEMORANDUM**

Cause No: 1:22-CV-00117-DAK-CMR

District Judge Dale A. Kimball  
Magistrate Judge Cecilia M. Romero

Without prejudice, UCC 1-308 (old UCC 1-207.4) this man reserves all this man's rights not to be compelled to perform under any commercial contract or agreement that this man did not enter knowingly, voluntarily, and intentionally. This man did not and does not accept the liability of any compelled benefits offered or any unrevealed, non-disclosed commercial contract or agreement offered. All offers accepted pursuant to 40 STAT 411, Section 7 (e) and 50 US code §4305 (B)(2). This is a legal permanent fixture and part of every page of this TORT CLAIM PETITION in this court of record in exclusive common law of England that shall be read and considered in every COURT pursuant to all laws NON-ASSUMPTIVE, without recourse, UCC 1-103.6.

By:

Ezekiel 18:30 "Therefore I will judge you O' House of Israel, everyone according to his ways, sayeth the Lord God. Repent and turn yourselves from all your transgression so iniquity shall not be your ruin".

Jose 4:6 "My people are destroyed for lack of knowledge because thou hast rejected knowledge, I will also reject thee, that thou shalt be no priest to me: seeing thou hast forgotten the law of thy God I will also forget thy children.

Mathew 25:15 "for the Kingdom of heaven is as a man traveling into a far country, who called his own servants, and delivered unto them his goods"



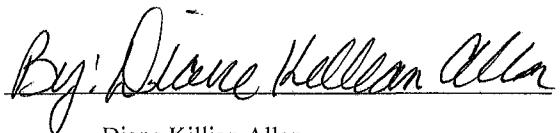
**TO THE HONORABLE JUDGE OF THE COURT:**

I object to the 12(b)(6) Motion to Dismiss on the grounds of Trinsey v Pagliaro, 229 F. Supp 647.

Farmington City Respondents falsely state Petitioner has conceded that causes of action 1,4 and 5 are not proper claims is simply not true. Petitioner has not and does not concede any cause of action in the pleading. Petitioner affirmed the need for this court to address criminal matters and convene a grand jury for the crimes that were committed. Reference to a private cause of action In Petitioners response ECF No. 46 was specifically in reference only to State Law Claims.

WHEREFORE, for the reasons stated throughout this opposition, Petitioner respectfully  
**MOVES** this Honorable court to enter an order **DENYING** Defendant's Motion to Dismiss.

RESPECTFULLY SUBMITTED THIS 28 day of November, 2022.

  
Diane Killian Allan

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*S. Disney*



## CERTIFICATE OF SERVICE

I hereby certify that on NOV 28, 2022, I delivered the attached document to  
the Clerks Office by : hand delivered  
the following CM/ECF registrants:

Jesse C. Trentadue (4961)  
Michael W. Homer (1535)  
KANELL  
Robert J. Brennan (15550)  
SUITTER AXLAND, PLLC  
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Telephone: 801-451-3570  
Email: [ngeddes@co.davis.ut.us](mailto:ngeddes@co.davis.ut.us) *Co-Counsel for Davis County Defendants*

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